

US000423

- 5 -

REMARKS

Claims 17-32 were rejected under 35 U.S.C. §112 and being indefinite for use of the phrase "such as." This phrase has been deleted from these claims.

Claims 10-12 and 17-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over by US Pat. 5,441,520 (Olsen et al.) in view of US Pat. 5,222,164 (Bass, Sr.) The present invention, as represented by Claims 10 and 17, relate to an electrode pad for a defibrillator with a magnet in the electrode connector. When the connector is connected to the defibrillator the defibrillator detects the magnetic field which identifies the electrode pad to the defibrillator. The treatment delivered by the defibrillator is adjusted accordingly. For instance, if a pediatric electrode pad is detected a lower voltage defibrillating pulse may be produced, or a specific CPR protocol used. The magnetic encoding technique is well suited to a defibrillator because its components can be completely sealed, the magnet within the connector and the magnetic sensor in the defibrillator. Since defibrillators must be rugged to be portable and usable in outdoor environments, the magnetic encoding will not be affected by dust and dirt as an optical scheme would. In addition, the magnet in the connector is completely passive, requiring no energization from the defibrillator as an r.f. or resistive approach would. Olsen et al. is seen to employ a resistive approach and Bass Sr. is seen to use an optical approach to connector encoding. Accordingly it is respectfully submitted that these patents cannot render Claims 10-12 and 17-27 unpatentable.

Claims 27-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bass Sr. in view of US Pat. 6,334,070 (Nova et al.) Nova et al. do not appear to specify any connector for their electrode pads 16. Accordingly it is respectfully submitted that Nova et al. adds nothing to the previous combination that would render Claims 10-12 and 17-30 unpatentable.

New Claims 41 and 42 depend from Claims 17 and 10, respectively, and it is respectfully submitted that these claims are patentable by reason of their dependency and their inclusion of a number of plurality of magnets which is not shown or suggested by any reference.

In view of the foregoing amendment and remarks it is respectfully submitted that Claims 10-12 and 17-27 are patentable over US Pat. 5,441,520 (Olsen et al.) in view of US Pat. 5,222,164 (Bass, Sr.), that Claims 27-30 are patentable

US000423

- 6 -

over Bass Sr. in view of Nova et al., and that new Claims 41 and 42 are patentable. Accordingly it is respectfully requested that the rejection of Claims 10-12 and 17-30 under 35 U.S.C. §103(a) be withdrawn and Claims 10-12, 17-30 and 41, 42 be passed on to issuance.

In light of the foregoing amendment and remarks, it is respectfully submitted that this application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

ANTHONY G. PICARDO ET AL.

By: W. B. Brinton, Jr.
W. Brinton Borks, Jr.
Reg. No. 28,923

Philips Electronics
22100 Bothell Everett Highway
P.O. Box 3003
Bothell, WA 98041-3003
(425) 487-7152
December 6, 2005